

**BEFORE THE FLORIDA  
JUDICIAL QUALIFICATIONS COMMISSION**

**INQUIRY CONCERNING A  
JUDGE, NO. 01-244**

**CASE NO.: SC01-2670**

\_\_\_\_\_ /

**FOURTH AMENDED<sup>1</sup> WITNESS AND EXHIBIT LIST**

COMES NOW, the Respondent, the Honorable Charles W. Cope, by and through his undersigned counsel and hereby files his Amended Witness List and Exhibit List as follows:<sup>2</sup>

**WITNESS LIST**

1. Honorable Charles W. Cope;
2. Mary Ellen Borjia;
3. Wayne Boyer;
4. Honorable Arthur England;
5. Professor William Ross
6. Walter Afield, M.D.;
7. Sydney Merin, Ph.D.;
8. Honorable Susan Schaeffer;
9. Honorable John Steinheider;
10. Daniel Meagher, D.V.M.;
11. Tara Trumler, D.V.M.;

---

<sup>1</sup> This amendment is made for the purpose of specifically itemizing the exhibits to the depositions previously listed.

<sup>2</sup> Discovery is ongoing. Respondent reserves the right to seek to add additional witnesses and exhibits, as more information is discovered.

12. Stephen Hance, D.V.M.;
13. Gary Wright, M.D.;
14. Lisa Vann Jeanes, D.V.M.;
15. Nina Vann Jeanes, M.D.;
16. Lieutenant Philip Nash;
17. Officer John Nyunt;
18. Sandra Backinger;
19. Investigator James Brown;
20. Thomas McCann;
21. Community Service Officer Cindy Mitchell;
22. Sergeant Ron Spicer;
23. Joel Charles;
24. Robert Butler.

#### **EXHIBIT LIST**

1. Photograph of Normandy Inn Room Key
2. Photographs of Normandy Inn / Exterior
3. Photographs of Normandy Inn / Interior of room
4. Photographs of Normandy Inn / Balcony Area
5. Photographs of Normandy Inn / Door to Room
6. Photographs of Beach / Beach Access

7. Normandy Inn Repair Records
8. Motions To Dismiss, For Discovery And For Hearing On The Grounds Of Selective Prosecution And Vindictive Prosecution with Exhibits
9. Special Counsel's Response to Interrogatories
10. American Express Credit Card Record
11. Capital One Visa Credit Card Record
12. The Grill on Ocean Avenue – Restaurant and Credit Card Receipt
13. Nepenthe Restaurant – Restaurant and Credit Card Receipt
14. Hog's Breath Inn – Restaurant and Credit Card Receipt
15. Restaurant at Mission Ranch – Restaurant and Credit Card Receipt
16. Booking Videotape Tape 1 of 2
17. Booking Videotape Tape 2 of 2

18. 911 Tape / Transcript
19. 6/15/1 Interview of Jane Doe – Tape / Transcript
20. Carmel-by-the-Sea Police Department Crime Report of Officer Nash
21. Normandy Inn Reports re: False Entries
22. Police contacts at the Normandy Inn for 2001
23. Records of radio transmissions relating to the dispatch to the Normandy Inn pursuant to a 911 call at approximately 0042 hours on April 5, 2001
24. Police Reports re: Normandy Inn Calls
25. Deposition of Sandra Backinger dated March 11, 2002
26. Deposition of James D. Brown dated March 22, 2002
27. Deposition of Lisa Vann Jeanes dated March 1, 2002

28. Deposition of Lisa Vann Jeanes dated May 7, 2002
29. Deposition of Nina Vann Jeanes dated March 1, 2002
30. Deposition of Philip Nash dated March 12, 2002
31. Deposition of Judge Steinheider to be taken June 17, 2002
32. Deposition of Stephen Hance to be taken June 19, 2002
33. Deposition of Gary Wright to be taken June 19, 2002
34. Deposition of Daniel Meagher to be taken June 20, 2002
35. Deposition of Tara Trumler to be taken June 18, 2002
36. Deposition of Bonnie Sue Barr to be taken June 20, 2002
37. Deposition of Thomas McCann to be taken June 21, 2002

38. Deposition of Cindy Mitchell to be taken June 20, 2002
39. Deposition of Jose Torres dated March 12, 2002
40. Map of Carmel-by-the-Sea
41. Diagram of Normandy Inn Room 306
42. Deposition of Nina Vann Jeanes dated June 17, 2002
43. Two Enhanced Audiotapes of Booking
44. Enhanced Audiotape of 911 call
45. Robert Butler Report of Interview of Nina Vann Jeanes dated 10/22/01
46. University of California at Davis Records received pursuant to subpoena duces tecum  
without deposition
47. Maintenance Book - Exhibit 1 to Deposition of Jose Torres dated March 12, 2002

48. Normandy Hotel Documents for April 4, 2001, - Exhibit 3 to Deposition of Sandra Backinger
49. Normandy Hotel Document for April 5, 2001 – Exhibit 4 to Deposition for Sandra Backinger
50. Photograph of Hotel Key - Exhibit 5 to Deposition for Sandra Backinger
51. Worksheet for Room No. 306 – Exhibit 6 Deposition of Sandra Backinger
52. Merchandise and Service Summary with Related documents – Exhibit 7 Deposition of Sandra Backinger
53. Maintenance Report – Exhibit 8 Deposition of Sandra Backinger
54. Nina Jeanes Vehicle Information – Exhibit 9 of Deposition of Sandra Backinger
55. Normandy Inn Receipt for N. V. Jeanes – Exhibit 10 of Deposition of Sandra Backinger

56. Original Computer Reservation Log (Nina Jeanes) – Exhibit 11 of Deposition of Sandra Backinger
57. Employee List for April 3, 2001 Normandy Inn – Exhibit 12 of Deposition of Sandra Backinger
58. Computerized Reservation Log (Nina Jeanes) – Exhibit 13 of Deposition of Sandra Backinger
59. Normandy Inn Checkout Receipt N. V. Jeanes – Exhibit 14 of Deposition of Sandra Backinger
60. Room Invoice Normandy Inn – Account No. 215191 – Exhibit 15 of Deposition of Sandra Backinger
61. Normandy Inn Brochure – Exhibit 16 of Deposition of Sandra Backinger
62. Photograph of Normandy Inn – Exhibit 17
63. Computerized Reservation Log (B. J. Reeve) – Exhibit 18



- 64. Computerized Reservation Log (Jennifer Hancock) – Exhibit 19
- 65. Officer Daily Activity Report May 11, 2001 – Exhibit 20
- 66. Newspaper Article Entitled “Florida Judge Negotiating Plea Bargain” – Exhibit 21
- 67. Computerized Reservation Log Lindsay Colton – Exhibit 22
- 68. Marked Photograph of Balcony Area – Exhibit 1 to L. Jeanes Deposition
- 69. Photograph of Driftwood – Exhibit 9 to L. Jeanes Deposition
- 70. Photograph of Driftwood – Exhibit 8 to L. Jeanes Deposition
- 71. Photograph of measurement – Exhibit 5 to L. Jeanes Deposition
- 72. Photograph of Peephole View – Exhibit 4 to L. Jeanes Deposition
- 73. Email Sent to Trumler - Exhibit 10 to L. Jeanes Deposition
- 74. Crime Follow-up Supplemental Report – Exhibit 1 to P. Nash Deposition

- 75. Admonition of Rights and Notes – Exhibit 2 to P. Nash Deposition
- 76. VCR Usage Log – Exhibit 3 to P. Nash Deposition
- 77. Declaration in Support of Arrest of Pretrial Restraint on Liberty – Exhibit 4 to P. Nash Deposition
- 78. McDonald Correspondence – Exhibit 5 to P. Nash Deposition
- 79. Officer's Daily Activity Report, April 3, 2001 – Exhibit 6 to P. Nash Deposition
- 80. Carmel Police Master Name Index Record – Exhibit 7 to P. Nash Deposition
- 81. Carmel P.D. Dispatch – Exhibit 8 to P. Nash Deposition
- 82. JQC's Exhibit 1 to P. Nash Deposition
- 83. Marked Photograph of Balcony Area – Exhibit 1 to N. Jeanes Deposition
- 84. Affidavit of Tara Trumler – Exhibit 1 to T. Trumler Deposition

- 85. All exhibits to depositions taken in this cause
- 86. Documents Sandra Backinger Agreed to Produce during her deposition on March 11, 2002 which she subsequently produced
- 87. Extension Audit Report for Normandy Inn dated 4/3 through 4/4
- 88. Extension Audit Report for Normandy Inn dated 4/4 through 4/5

Respectfully submitted,

**ROBERT W. MERKLE, ESQ.**

Florida Bar Number: 138183

MERKLE & MAGRI, P.A.

5510 West LaSalle Street

Tampa, Florida 33607

Telephone: (813) 281-9000

Facsimile: (813) 281-2223

### **CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished via facsimile and U.S. Mail to: **Judge James R. Jorgenson**, Chair of the Judicial Qualifications Commission Hearing Panel, 3<sup>rd</sup> District Court of Appeal, 2001 S.W. 117<sup>th</sup> Avenue, Miami, Florida 33175-1716; **John Beranek, Esq.**, Counsel to the Hearing Panel of the Judicial Qualifications Commission, P.O. Box 391, Tallahassee, Florida 32302; **John S. Mills, Esq.**, Special Counsel, Foley & Lardner, 200 Laura Street, Jacksonville, Florida 32201-0240; **Brooke S. Kennerly**, Executive Director of the Florida Judicial Qualifications Commission, 1110 Thomasville Road, Tallahassee, Florida 32303; **Thomas C. MacDonald, Jr., Esq.**, General Counsel to the Investigative Panel of the Judicial Qualifications Commission, 100 North Tampa Street, Suite 2100, Tampa, Florida 33602; this 19<sup>th</sup> day of June, 2002.

**ROBERT W. MERKLE, ESQ.**